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Committee on Relations with the Host Country

Letter dated 11 September 2006 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee

The United States Mission to the United Nations has received from you, in your capacity as Chairman of the Committee on Relations with the Host Country, a copy of a letter dated 19 June 2006 from the Permanent Representative of Cuba to the United Nations, Rodrigo Malmierca Diaz, addressed to you, regarding the denial of the request of Third Secretary Ismara Vargas Walter to travel to Princeton University to participate in the informal meeting from 8 to 11 June 2006, of the working group on the crime of aggression, chaired by the Permanent Representative of Liechtenstein, of the Assembly of States Parties to the statute of the International Criminal Court.

Pursuant to section 11 of the Agreement between the United Nations and the United States regarding the Headquarters of the United Nations, United States authorities shall not impose any impediments to transit to or from the Headquarters district of representatives of Member States. Consistent with its responsibilities as host country to the United Nations and the Missions accredited to the United Nations, the United States does not restrict travel within the United States if that travel is to attend an official United Nations meeting. After careful consideration, the decision to deny Ms. Vargas' travel in this instance was made because the meeting to which she applied to travel was not an official United Nations meeting.

The Permanent Mission of Cuba had raised this same issue concerning an earlier meeting in Princeton on a similar topic, at the 222nd meeting of the Committee on Relations with the Host Country. At that time, we reiterated that the United States regards its obligations as host country very seriously but recalled that such obligations with regard to travel arose only in respect of official United Nations meetings.

The United States is cognizant of the paragraph contained in successive General Assembly resolutions on the report of the Committee on Relations with the Host Country in which the Assembly asks that the United States consider removing travel restrictions. The host country indeed reviews the travel restrictions on a periodic basis and, in the past three years alone, has removed or eased restrictions that had applied to several Member States.

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However, even if this had been an official United Nations meeting, the request for travel would not have been made on time. We reiterate that such requests must be made at least two full working days, exclusive of the date of submission of the request and the date of transmission of the reply, in advance of the proposed travel.

Finally, it appears that issuance of a visa to the Cuban official in Havana was inadvertent and based on an assumption that he had United Nations business in New York. Please circulate the present letter as a document of the Committee on Relations with the Host Country.

(*Signed*) Russell F. **Graham**
Minister Counsellor
Host Country Affairs

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General Assembly

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28 September 2006
English
Original: Spanish

Committee on Relations with the Host Country

Letter dated 28 September 2006 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Chairman of the Committee

I have the honour to write to you in your capacity as Chairman of the Committee on Relations with the Host Country, to transmit a communique from the Ministry of Foreign Affairs of the Bolivarian Republic of Venezuela protesting the action taken by immigration officials of the Government of the United States of America against the Minister for Foreign Affairs of the Bolivarian Republic of Venezuela, Mr. Nicolás Maduro Moros, on 23 September 2006 at John F. Kennedy Airport in New York (see annex).

I should be grateful if you could have this letter and its annex circulated as a document of the Committee on Relations with the Host Country.

(Signed) Francisco Javier **Arias Cárdenas**
Ambassador
Permanent Representative

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Annex to the letter dated 28 September 2006 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Chairman of the Committee

Communiqué

The Ministry of Foreign Affairs of the Bolivarian Republic of Venezuela presents its compliments to the Embassy of the United States of America and expresses its strong protest at the action taken by immigration officials of the Government of the United States of America against the Minister for Foreign Affairs of the Bolivarian Republic of Venezuela, Mr. Nicolás Maduro Moros, on 23 September 2006 at John F. Kennedy Airport in New York.

The act in question is a gross violation of international law in that the illegal deprivation of liberty suffered by the Foreign Minister contravenes article 105 of the Charter of the United Nations, article IV, section 11 of the 1945 Convention on the Privileges and Immunities of the United Nations and article IV, section 11 of the 1947 Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations.

The Ministry of Foreign Affairs of the Bolivarian Republic of Venezuela categorically demands a public apology, at the international level, from the Government of the United States of America, as well as the adoption of the appropriate measures in response to this unfriendly, condemnable and unacceptable act committed against the highest authority of the Ministry of Foreign Affairs of the Bolivarian Republic of Venezuela.

The Ministry of Foreign Affairs of the Bolivarian Republic of Venezuela would be grateful to the Embassy of the United States of America for transmitting this message to the competent authorities of its Government and for providing a timely reply, and takes this opportunity to convey to it the renewed assurances of its highest consideration.